

CHAPTER 242
DISCIPLINE FOR PSYCHOLOGISTS

[Prior to 7/11/01, see 645—Chapter 240]

645—242.1(272C) Grounds for discipline. The board may impose any of the disciplinary sanctions set forth in rule 645—13.1(272C), including civil penalties in an amount not to exceed \$1,000, when the board determines that a licensee is guilty of any of the following acts or offenses:

242.1(1) All grounds listed in Iowa Code section 147.55 which are:

a. Fraud in procuring a license.
b. Professional incompetency.
c. Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of the profession, or engaging in unethical conduct or practice harmful or detrimental to the public. Proof of actual injury need not be established.

d. Habitual intoxication or addiction to the use of drugs.

e. Conviction of a felony related to the profession or occupation of the licensee, or the conviction of any felony that would affect that licensee's ability to practice within the profession. A copy of the record of conviction or plea of guilty shall be conclusive evidence.

f. Fraud in representations as to skill or ability.

g. Use of untruthful or improbable statements in advertisements.

h. Willful or repeated violations of the provisions of Iowa Code chapter 147.

242.1(2) Violation of the rules promulgated by the board.

242.1(3) Personal disqualifications:

a. Mental or physical inability reasonably related to and adversely affecting the licensee's ability to practice in a safe and competent manner.

b. Involuntary commitment for treatment of mental illness, drug addiction or alcoholism.

242.1(4) Practicing the profession while the license is suspended.

242.1(5) Revocation, suspension, or other disciplinary action taken by a licensing authority of the District of Columbia or another state, territory, or country; or failure by the licensee to report in writing to the Iowa board of psychology examiners the revocation, suspension, or other disciplinary action taken by a licensing authority of another state, territory, or country; or both.

242.1(6) Negligence by the licensee in the practice of the profession, which is a failure to exercise due care including negligent delegation to or supervision of employees or other individuals, whether or not injury results; or any conduct, practice or conditions which impair the ability to safely and skillfully practice the profession.

242.1(7) Prohibited acts consisting of the following:

a. Permitting an unlicensed employee or person under the licensee's control to perform activities requiring a license.

b. Permitting another person to use the licensee's license for any purpose.

c. Practice outside the scope of a license.

d. Obtaining, possessing, or attempting to obtain or possess a controlled substance without lawful authority; or selling, prescribing, giving away, or administering controlled substances.

e. Verbally or physically abusing clients.

f. Any sexual intimidation or sexual relationship between a psychologist and a client.

242.1(8) Unethical business practices, consisting of any of the following:

a. False or misleading advertising.

b. Betrayal of a professional confidence.

c. Falsifying clients' records.

242.1(9) Failure to report a change of name or address within 30 days after it occurs.

242.1(10) Submission of a false report of continuing education or failure to submit the annual report of continuing education.

242.1(11) Failure to notify the board within 30 days after occurrence of any judgment or settlement of a malpractice claim or action.

242.1(12) Failure to comply with a subpoena issued by the board.

242.1(13) Failure to report to the board as provided in 645—Chapter 13 any violation by another licensee of the reasons for disciplinary action as listed in this rule.

242.1(14) Failure to comply with the Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association, as published in the December 1992 edition of American Psychologist, effective December 1, 1992, which are hereby adopted by reference. Later amendments or editions of the Ethical Principles of Psychologists and the Code of Conduct are not included in this rule. Copies of the Ethical Principles of Psychologists and the Code of Conduct may be obtained by contacting the Director, Office of Ethics, American Psychological Association, 750 First Street N.E., Washington, D.C. 20002-4242.

This rule is intended to implement Iowa Code sections 147.76, 147.55(3), 272C.4 and 272C.10.

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